

UNITED STATES DISTRICT COURT

for the

Eastern District of Oklahoma

Division

Case No. **CIV 21-253-RAW**

(to be filled in by the Clerk's Office)

Donald Ray Logsdon Jr

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-
United States Marshal Service
Philip Brian Gilliam
Jere Smith
Cody Vaughn

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☐ Yes ☐ No**FILED**

AUG 25 2021

PATRICK KEANEY
Clerk U.S. District CourtBy _____
Deputy Clerk

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Donald Ray Logsdon Jr</u>
Street Address	<u>4205 Hwy 66 West</u>
City and County	<u>El Reno Canadian County</u>
State and Zip Code	<u>Oklahoma 73036</u>
Telephone Number	<u>405-262-4875</u>
E-mail Address	<u>N/A</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name United States Marshal Service
 Job or Title (if known) Government Agency
 Street Address 111 N. 5th st Rm 13b
 City and County Muskogee, Muskogee County
 State and Zip Code Oklahoma 74401
 Telephone Number N/A
 E-mail Address (if known) N/A

Defendant No. 2

Name Philip Brian ~~Sam~~ Gilliam
 Job or Title (if known) Deputy United States Marshal
 Street Address 111 N. 5th st Rm 13b
 City and County Muskogee, Muskogee County
 State and Zip Code Oklahoma 74401
 Telephone Number N/A
 E-mail Address (if known) N/A

Defendant No. 3

Name Jere Smith
 Job or Title (if known) United States Marshal
 Street Address 111 N. 5th st. Rm 13b
 City and County Muskogee Muskogee County
 State and Zip Code Oklahoma 74401
 Telephone Number N/A
 E-mail Address (if known) N/A

Defendant No. 4

Name Cody Vaughn
 Job or Title (if known) Task Force Officer United States Marshal Service
 Street Address 111 N. 5th st. Rm 13b
 City and County Muskogee Muskogee County
 State and Zip Code Oklahoma 74401
 Telephone Number N/A
 E-mail Address (if known) N/A

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See Attached

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

①

III Statement of Claim

On 3-5-2020 the United States Marshals came to a friend of mine's house to arrest me. I was outside working on a generator at the time. It was after dark. I never knew they were there, as they walked up and were hiding in the dark. Philip Brian Gilliam ran up behind me and kicked me in the face. I was knocked out from this point forward. My friend who owns the place, Benton McFarland, has his whole surrounding residence recorded on video. He told me that after the first one kicked me in the face and knocked me out, all of them took turns foot stamping me for (2) two minutes. I never tried to resist. I

Donald Ray
Lisson Jr
4205 HWY 66W,
El Reno, OK
73036

Donald
Lisson

6-19-21

never had a chance to. I was never charged with resisting either. I have this complete incident recorded on video and I believe everything Benton McFarland tells me. I have witnesses inside the residence that were watching it as well. I also have a witness that had just pulled up in the driveway that was watching it. That →

(2)

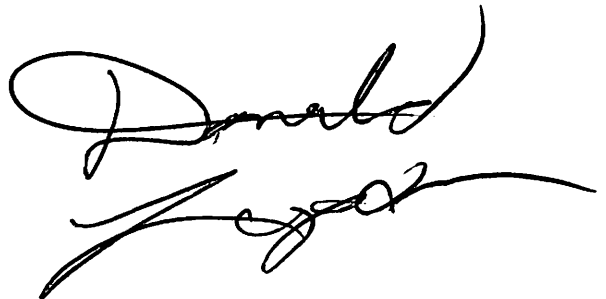
III

Statement of Claim

would be the lady who was in contact with the United States Marshals letting them know where I was at so they could arrest me. Even she said they went way too far foot stomping me for 2 minutes. Her 14 year old daughter was in the truck too and seen it all. Even the chief of security at Pittsburg County Jail had my book in picture as his screen saver on his cell phone. — END —

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8-19-21



Punitive Damages - \$100,000,000.00

Nominal Damages - \$1.00

Actual Damages - \$10,000.00

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 8-19-21

Signature of Plaintiff

Printed Name of Plaintiff

Donald Ray Logsdon Jr
Donald Ray Logsdon Jr

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

CERTIFICATE OF SERVICE

I Donald Ray Logsdon Jr, UNDER THE PENALTY OF PREJURY, AM THE PETITIONER
AND ACKNOWLEDGE THAT THE FOREGOING ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 8-19-21

RESPECTFULLY SUBMITTED

Donald Ray Logsdon Jr

I Donald Ray Logsdon Jr, UNDER THE PENALTY OF PREJURY, ALSO DECLARE, THAT
BY USING THE UNITED STATES POSTAL SERVICE, ONE COPY HAS BEEN SENT POSTAGE PREPAID
BY THE UNITED STATES MAIL SERVICE TO THE UNITED STATES ATTORNEY'S OFFICE IN THE
DISTRICT Eastern STATE OF Oklahoma.

8-19-21

Donald Ray Logsdon Jr
4205 HWY 66 West
El Reno, OK
73036

Donald Logsdon